



September 27, 2007

HAND DELIVERED

A Las Vegas Garden of Love, LLC
dba A Las Vegas Garden of Love
1431 South Las Vegas Blvd.
Las Vegas, NV 89104

ATTN: Cheryl and Craig Luell
RE: Business license nos. W01-00095-J-107147; M06-02853-5-107147; and H02-01479-L-107147

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

Dear Cheryl and Craig Luell:

Business licenses are renewed based on a billing period for each designated business license issued by the City of Las Vegas. The renewal date for business license no. W01-00095-J-107147 is October 1, 2007. The renewal date for business license no. M06-02853-5-107147 is November 1, 2007. The renewal date for business license no. H02-01479-L-107147 is December 1, 2007. This letter is to formally advise you that the aforementioned business licenses are **denied for renewal** for the appropriate renewal dates upon receipt of this letter.

Pursuant to Las Vegas Municipal Code (LVMC) 6.02.090 (A) (2) the Director of Finance and Business Services or his designee may refuse to renew a business for sufficient reasons found in this Section. Specifically, these reasons include the following:

(a) The licensee or any of its principals is engaged, or has commenced, instituted, advertised, aided, carried on, continued or engaged, in a business, trade or profession without having obtained a valid license, an approval for suitability, a permit or a work card when such a person knew that one was required or under such circumstances that they reasonably should have known one was required, or has solicited, encouraged, caused or procured another to do so;

Cheryl and Craig Luell are managing members of A Las Vegas Garden of Love, LLC dba A Las Vegas Garden of Love. This business has been licensed at 1431 South Las Vegas Blvd. since April 11, 2005. Prior to this time Business License Officers determined the following violations existed:

On **February 14, 2005** City Business License Officers found you conducting business without the proper business license from 1431 South Las Vegas Blvd. This is a violation of this Section of LVMC and LVMC 6.02.060 – Business license required.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov



On **February 14, 2005**, City License Officers observed a person later identified as Larry Charles soliciting customers by displaying a brochure for A Las Vegas Garden of Love. This is a violation of this Section of LVMC and LVMC 6.62.020 (A) (1) and (2). Mr. Charles was issued an enforcement notice for this violation by City License Officers. Additionally, an Ernest Moises Sotelo and James Gutierrez, agents of A Las Vegas Garden of Love, were issued enforcement notices for the same violation.

On **April 5, 2005**, Craig Luell was cited for violation of LVMC 6.62.020 (B) for permitting an agent to solicit on behalf of a business without a valid work card and solicitation permit and for conducting business without a valid unexpired business license for A Las Vegas Garden of Love; 1431 South Las Vegas Blvd. Those citations were dismissed per negotiations.

Additionally...

On **September 13, 2000**, Craig Luell was charged with doing business without a license and no work card. He was found guilty and assessed a fine of \$50 on both charges, paid on December 12, 2000.

These acts are determined to be a violation of this Section.

(c) The licensee, any of its principals, or their employees or those acting on their behalf, have been convicted of an act that constitutes a crime which involves moral turpitude or involves any local, State or Federal law or regulation which relates to the same or a similar business, or have been convicted of having solicited, encouraged, caused or procured another to commit such a violation;

Cheryl Luell was charged with Public Nuisance on **September 25, 2004**. On May 25, 2006 a plea of Nolo Contendre was entered with judgment rendered a fine in the amount of \$1,000, suspended sentence of 9 months, stay out of trouble. On February 27, 2007, the fine was vacated and the case dismissed.

Craig Luell was charged with doing business without a license and no work card on **September 13, 2000**, was found guilty and assessed a fine of \$50 on both charges, paid on December 12, 2000.

Craig Luell was charged with Public Nuisance on **September 25, 2004**. On May 25, 2006 a plea of Nolo Contendre was entered with judgment rendered a fine in the amount of \$1,000, suspended sentence of 9 months, stay out of trouble. On February 27, 2007, the fine was vacated and the case dismissed.

On **October 14, 2004**, regarding citation no. 11641, A Las Vegas Garden of Love was found to be in violation of Nevada Administrative Code (NAC) 706.147 and fined \$500 with \$500 to be held in abeyance by the State of

A Las Vegas Garden of Love
Page 3, cont.

Nevada Transportation Services Authority (TSA). Additionally, a similar finding was made by the TSA on citation no. 11290, where the fine of \$1,750 was held in abeyance.


These acts are a violation of Las Vegas Municipal Code and therefore a violation of this Section.

(h) The business activity constitutes, promotes, causes, allows, fosters, aids, or otherwise enables a private nuisance, public nuisance or chronic nuisance, or has been or is being conducted in an unlawful, illegal or impermissible manner, including but not limited to causing, allowing, promoting, fostering, aiding, enabling, exercising deliberate ignorance towards or failing to abate a private nuisance, public nuisance or chronic nuisance.

Since you received your initial business license in **November 2002**, there have been **over thirty (30) complaints** filed with Metro and/or the City's Business Services Division on the Luells as owners of A Las Vegas Garden of Love and/or their agents. The nature of the complaints focused on charges of threats of physical harm, battery, battery with a deadly weapon, harassment, malicious destruction of private property, and intimidation. These charges, individually and collectively determine your business operations to be a public nuisance and therefore a violation of this Section.

You have a right to appeal the denial of the renewal of these licenses pursuant to LVMC 6.02.110 within thirty days to the City Council by filing written notice of appeal with the Department of Finance and Business Services. The City Council shall hear the applicant at the next regularly scheduled meeting following the expiration of ten days after the applicant filed a notice of appeal. You are directed to cease and desist all business effective October 1, 2007. Failure to do so will result in the issuance of citations to all principals, agents, employees, independent contractors and others which act on your behalf to engage in business without a valid license.

Sincerely,


Jim DiFiore, Manager
Business Services Division
Finance & Business Services

Cc: Mark Vincent
Carol Meyer
Jim Rickett
LVMPD – Downtown Area Command



Received by

9-27-07
Date